



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q80693

Naotoshi SHIRAYANAGI

Appln. No.: 10/811,862

Group Art Unit: 3617

Confirmation No.: 2473

Examiner: Edwin L. Swinehart

Filed: March 30, 2004

For: ENGINE CONTROL APPARATUS

DECLARATION UNDER 37 C.F.R. § 1.132

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Mr/Dr. Atsuhisa Ichikawa, hereby declare and state:

THAT I am a citizen of Japan;

THAT I have received the degree of bachelorin department of engineering from Aichi Institute of Technology UniversityTHAT I have been employed by Asahi Denso Co., Ltd. since 1986,where I hold a position as a chief, withresponsibility for patent procedures of engine control apparatus;

I understand the subject matter of the above Application and the cited references. I have reviewed the Office Actions in the above case dated March 30, 2006, June 8, 2005 and January 28, 2005, as well the cited references including Watanuki (US 5,819,564). The Examiner contends that is easy to open the cap 10 in the structure of Watanuki. However in my opinion, it



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electronic part 4 (which the patent office construes to be the transponder) snugly fits inside 3 and is prevented by the cap 9 from slipping out. Once it is placed in, there does not appear to be a way for replacing it, without actually breaking the cap 9 and then replacing with a new cap.

To the best of my knowledge and experience, the Examiner is wrong in his understanding of Watanuki.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: June 22, 2006

Atsuhisa Ichikawa
Mr/Dr. _____